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21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN FRANCISCO DIVISION

24 SONYA RENEE *et al.*,

25 Plaintiffs,

26 v.

27 MARGARET SPELLINGS, in her official capacity;
28 UNITED STATES DEPARTMENT OF EDUCATION,

Defendants.

Case No.

**EX PARTE MOTION FOR LEAVE TO
PROCEED ANONYMOUSLY AND TO
SUBMIT PLAINTIFF'S DECLARATION
UNDER SEAL**

Civil Local Rules 7-10; 79-5

Time:
Date:
Dept:

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1 Plaintiff "Jane Doe," a minor, and "John Doe," her *guardian ad litem*, move this Court for an
2 order granting them leave to proceed in this action in these fictitious names and pursuant to Civil
3 Local Rules 7-11 and 79-5(b), plaintiffs respectfully hereby request leave of Court to file under seal in
4 their entireties the following document being lodged with the Clerk: Declaration of Jane Doe in
5 support of *ex parte* motion for leave to proceed anonymously.

6 The grounds for this motion are that plaintiffs and her family have a sensitive immigration
7 status. Plaintiff's declaration indicates a genuine fear that if Jane Doe and her *guardian ad litem*'s
8 name were used in this litigation they would face reprisal in the form of deportation, economic harm,
9 social stigmatization, and harassment.

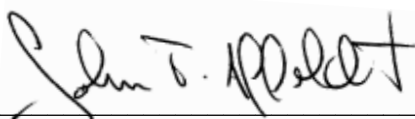
10 The facts revealing the true identity of plaintiff Jane Doe and her *guardian ad litem* are
11 submitted to the Court in an original declaration containing the true identities and filed under seal at
12 the time of the filing of the complaint. The facts supporting the plaintiffs' claims and the need to
13 secure their privacy are established in the declaration.

14 The Court has the authority to permit the plaintiffs to proceed under fictitious names in cases
15 like this where there is a serious threat to plaintiff and her family's right to privacy and of economic
16 harm, social stigmatization, and harassment.

17 This motion is based on the pleadings and records on file in this action, on the attached
18 memorandum of points and authorities and declaration in support of this motion and upon such
19 evidence as might be presented at the hearing on this motion.

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21 Dated: August 21, 2007

Respectfully submitted,

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25 JOHN T. AFFELDT
26 JENNY PEARLMAN
27 TARA KINI
28 PUBLIC ADVOCATES, INC.
Attorneys for Plaintiff